

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AARON QUINTANA.

Plaintiff,

V.

CVS PHARMACY, INC.

Defendant.

Case No. 15-cv-02109-YGR

ORDER GRANTING STIPULATED REQUEST FOR REMAND

Re: Dkt. No. 21

On August 10, 2015, the parties filed a stipulation to dismiss defendant CVS Pharmacy, Inc. and substitute Longs Drugs Stores California, L.L.C. in place of the “Doe 1” defendant. (Dkt. No. 21.) The request also sought remand of the case to Alameda County Superior Court, presumably because amendments to the complaint destroy the Court’s diversity jurisdiction over this matter.¹

Good cause shown, the Court hereby **GRANTS** the parties' stipulated request insofar as it seeks remand of the action to state court. The remaining requests may be directed to the state court. Thus, this action is hereby **REMANDED** to the Superior Court of the State of California, County of Alameda. The Clerk of the Court shall close the file.

IT IS SO ORDERED.

Dated: August 11, 2015

Yvonne Gonzalez Rogers
YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

¹ The incorrectly filed First Amended Complaint (Dkt. No. 20) names two individual defendants who are identified as California residents. Plaintiff is also apparently a California resident. (Dkt. No. 1.) As discussed at the July 7, 2015 hearing on defendant's motion to dismiss, those individuals were identified by first names in the original complaint, which indicated plaintiff's intention to add them as parties as soon as their identities were discovered. As the basis for removal of this state-law action was diversity jurisdiction (Dkt. No. 1), the amendment divests the Court of jurisdiction over this action, and remand is appropriate. *See* 28 U.S.C. §§ 1332(a), 1447.